

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1, 5, 8-9, 11-12, 14 and 16-18 are cancelled, and claims 19-42 are added. Claims 2-4, 6-7, 10, 13 and 15 remain in this application as amended herein. Accordingly, claims 2-4, 6-7, 10, 13, 15, and 19-42 are submitted for the Examiner's reconsideration.

In the Office Action, claims 1-5, 8-13 and 16-18 were rejected on the 35 U.S.C. § 102(b) as being anticipated by Bishop (U.S. Patent No. 6,049,798), and claims 14-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bishop. Claims 1, 5, 8-9, 11-12, 14 and 16-18 are cancelled, and claims 19, 24, 29 and 34-42 are submitted in place thereof. It is submitted that the presently pending claims are patentably distinguishable over Bishop.

The Bishop patent is directed to the graphical monitoring of the resource utilization of a data processing system, such as monitoring central processor unit (CPU) utilization. The CPU runs processes of different priority classes such that processes of a higher priority class are run before those of a lower priority class. The CPU utilization is determined by (i) starting a "dummy" process that is assigned a lower priority level than the other processes so that the "dummy" process is carried out only when all other processes are completed and then (ii) monitoring the time that the "dummy" process is run. (See col. 10, lines 50-67). Bishop therefore describes running only one process at a time based on priority classes and does not suggest *concurrently initiating* a plurality of processes.

Bishop does not suggest:

a signal producing device operable to produce an execution enabling signal that causes said processor arrangement to concurrently initiate the plurality of processes

as called for in claim 19.

Moreover, by monitoring the execution time of the "dummy" process, Bishop determines the CPU utilization by measuring what would ordinarily be the idle time of the CPU rather than by measuring the time required to run the real processes.

Bishop does not suggest:

a load determination arrangement operable to begin determination of a plurality of execution load values each associated with a specific one of the plurality of processes in response to the execution enabling signal

as set out in claim 19.

Additionally, Bishop teaches determining the *total* CPU utilization, namely, the resources utilized by *all* of the processes, and does not suggest determining the *specific* CPU utilization of *each* of the *completed* processes.

Bishop does not suggest:

said processor arrangement being further operable to produce an execution termination signal whenever one of the plurality of processes is completed to cause said load determination arrangement to conclude the determination of the execution load value associated with the completed process, said load determination arrangement thereby determining a specific execution load value for each of a plurality of completed processes

as defined in claim 19.

It follows that Bishop does not suggest the combination called for in claim 19 and does not anticipate the claim.

Claims 2-4 depend from claim 19 and each further defines and limits the invention set out in the independent

claim. Therefore, each of claims 2-4 likewise defines a combination that is patentably distinguishable over Bishop.

Independent claims 24 and 29 include limitations similar to those set out in claim 19 and are each distinguishable over Bishop at least for the same reasons.

Claims 10 and 13 depend from claims 24 and 29, respectively, and are similarly distinguishable over Bishop.

Independent claims 34-36 are each directed to an integrated information processing system that includes a plurality of information processing systems having limitations similar to those defined in claims 19, 24 and 29, respectively. Therefore, claims 34-36 are distinguishable over Bishop at least for the same reasons.

Claim 15 depends from claims 34 and, at least for the same reasons, is distinguishable over Bishop.

Independent claims 37-39 are directed to methods having limitations similar to those set out in claims 19, 24 and 29, respectively, and are distinguishable over the reference at least for the same reasons.

Claims 40-42 each relate to a computer-readable recording medium recorded with instructions for carrying out the methods defined in claims 37-39 and are likewise distinguishable over Bishop.

The Examiner also rejected claims 5-6 as being unpatentable over Bishop in view of Bhatt (U.S. Patent No. 6,079,399). It is submitted, however, that the claims are patentably distinguishable over Bhatt.

Claims 5-6 depend from claim 19 and are distinguishable over the Bishop patent at least for the reasons set out above. The Bhatt patent is directed to a method for visualizing time-varying data and does not remedy the deficiencies of Bishop.

It follows that neither Bishop nor Bhatt, whether taken alone or in combination, suggests the combinations called for in claims 5 or 6, and therefore claims 5 and 6 are patentably distinguishable over the references.

Accordingly, the withdrawal of the rejections under 35 U.S.C. § 102 and § 103 are respectfully requested.

New claims 20-23 depend from claim 19, new claims 25-28 depend from claim 24, and new claims 30-33 depend from claim 29, and each is therefore distinguishable over the references at least for the reasons described above. Support for these claims is found in Figs. 5 and 8-9 and on pages 13-17 and 21-24 of the specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

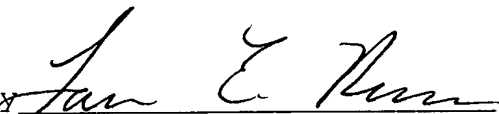
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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